

Our Ref./Docket No: CISCO-8481

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Adams, *et al.*

Application No.: 10/716,953

Filed: November 18, 2003

Title: METHOD AND APPARATUS FOR  
REDUCING OSCILLATOR PULL IN A CMOS  
WIRELESS TRANSCEIVER INTEGRATED  
CIRCUIT

Group Art Unit: 2814

Examiner: SHRINIVAS RAO

SUBMISSION OF TERMINAL DISCLAIMERMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

This is a response to the Interview of June 16, 2005.

Any amendments to the specification begin on a new page immediately after these introductory remarks.

Any *amendments to the claims* begin on a new page immediately after such *amendments to the specification*, if any.Any *amendments to the drawings* begin on a new page immediately after such *amendments to the claims*, if any.The *Remarks/arguments* begin on a new page immediately after such *amendments to the drawings*, if any.If there are drawing amendments, an *Appendix* including amended drawings is attached following the *Remarks/arguments*.

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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at 571-273-1718 addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.	
Date: <u>16 June 2005</u>	Signed: <u>[Signature]</u> Name: Dov Rosenfeld, Reg. No. 38687

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S/N 10/716,953

Page 2

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**REMARKS*****Status of the Application:***

Claims 1-6, 24-29, and 40 are the claims of record of the application.

***Telephone Interview on June 16, 2005***

Applicants and the undersigned appreciate Examiner's attention and courtesy during the telephone interview held June 16, 2005 between the Examiner and the undersigned. The invention, the parent patent to this application, and double patenting were discussed. Agreement was reached during the interview that a Terminal Disclaimer to the parent invention (U.S. Patent 6,665,339) should lead to allowance of the claims.

***Terminal Disclaimer***

A terminal disclaimer, with appropriate fees are attached.

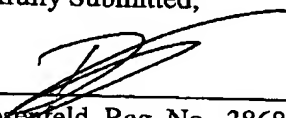
***Conclusion***

The Applicants believe that all remaining claims are allowable. Action to that end is respectfully requested.

If the Examiner has any questions or comments that would advance the prosecution and allowance of this application, an email message to the undersigned at dov@inventek.com, or a telephone call to the undersigned at +1-510-547-3378 is requested.

Respectfully Submitted,

16 June 2005  
Date

  
Dov Rosenfeld, Reg. No. 38687

**Address for correspondence:**

Dov Rosenfeld  
5507 College Avenue, Suite 2,  
Oakland, CA 94618  
Tel. 510-547-3378  
Fax: +1-510-291-2985  
Email: dov@inventek.com

Approved for use through 07/31/2006. OMB 0851-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)  
 CISCO-8481

In re Application of: Adams, et al.

Application No.: 10/716,953

Filed: 18 Nov 2003

For: METHOD AND APPARATUS FOR REDUCING OSCILLATOR PULL IN A CMOS WIRELESS TRANSCEIVER INTEGRATED CIRCUIT

The owner\*, Cisco Technology, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,665,339 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

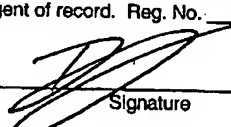
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 36687

 Signature June 16, 2005 Date  
Dov Rosenfeld Typed or printed name

510-547-3378

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**INVENTEK**

Dov Rosenfeld  
5507 College Avenue, Suite 2  
Oakland, CA 94618, USA  
Phone: (510)547-3378; Fax: (510)291-2985  
dov@inventek.com

**Fax****Patent Application Ser. No.:** 10/716,953**Ref./Docket No:** CISCO-8481**Applicant(s):** Adams, et al.**Examiner.:** SHRINIVAS RAO**Filing Date:** November 18, 2003**Art Unit:** 2814**FAX COVER PAGE**

**TO:** Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

United States Patent and Trademark Office  
(Examiner SHRINIVAS RAO, Art Unit 2814)

**Fax No.:** 571-273-1718**DATE:** June 16, 2005**FROM:** Dov Rosenfeld, Reg. No. 38687**RE:** Response to Office Action*Number of pages including cover: 10***OFFICIAL COMMUNICATION****TO EXAMINER SHRINIVAS RAO, ART UNIT  
2814****Certificate of Facsimile Transmission under 37 CFR 1.8**

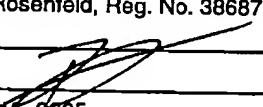
I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office at telephone number 571-273-1718 addressed the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.


**Date:**16 June 2005**Signed:**

Name: Dov Rosenfeld, Reg. No. 38687

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/716,953	
	Filing Date	18 Nov 2003	
	First Named Inventor	Adams, Andrew R.	
	Group Art Unit	2814	
	Examiner Name	SHRINIVAS RAO	
		Attorney Docket Number	CISCO-8481

<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> <input type="checkbox"/> After Final <input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Comments accompanying Terminal Disclaimer <input type="checkbox"/> <input type="checkbox"/>
Remarks  		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT/ CORRESPONDENCE ADDRESS</b>	
Firm or Individual name	Dov Rosenfeld, Reg. No. 38687
Signature	
Date	June 16, 2005
<b>ADDRESS FOR CORRESPONDENCE</b>	
Firm or Individual name	Dov Rosenfeld 5507 College Avenue, Suite 2, Oakland, CA 94618, Tel: 510-547-3378

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>			
I hereby certify that this correspondence is being facsimile transmitted with the United States Patent and Trademark Office at Telephone number <u>571-273-1718</u> addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Type or printed name	Dov Rosenfeld, Reg. No. 38687	Date	June 16, 2005
Signature		Date	June 16, 2005

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Group Art Unit: 2814

Examiner: SHRINIVAS RAO

**TRANSMITTAL: SUBMISSION OF TERMINAL DISCLAIMER**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Transmitted herewith are comments as a result of a telephone conversation with the Examiner for the above referenced application. Included with the comments are:

X Terminal Disclaimer;

This application has:

\_\_\_\_\_ a small entity status. If a claim for such status has not earlier been made, consider this as a claim for small entity status.

\_\_\_\_\_ No additional fee is required.

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Name: Dov Rosenfeld, Reg. No. 38687

S/N 10/716,953

Page 2

CISCO-8481

☒ A credit card payment form is attached for Terminal Disclaimer.

☐ Applicant(s) believe(s) that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for an extension of time.

☐ Applicant(s) hereby petition(s) for an Extension of Time under 37 CFR 1.136(a) of:

☐ one months (\$110)

☐ two months (\$410)

☐ three months (\$930)

☐ four months (\$1450)

If an additional extension of time is required, please consider this as a petition therefor.

☐ A credit card payment form for the required fee(s) is attached.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0292 (A DUPLICATE OF THIS TRANSMITTAL IS ATTACHED):

☒ Any missing filing fees required under 37 CFR 1.16 for presentation of additional claims.

☒ Any missing extension or petition fees required under 37 CFR 1.17.

Respectfully Submitted,

16 June 2005  
Date

  
Dov Rosenfeld, Reg. No. 38687

Address for correspondence:

Dov Rosenfeld

5507 College Avenue, Suite 2,

Oakland, CA 94618

Tel. 510-547-3378; Fax: +1-510-291-2985

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S/N 10/716,953

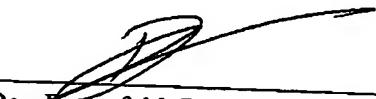
Page 2

CISCO-8481

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- |   |   |
|---|---|
| <input type="checkbox"/> one months (\$110)   | <input type="checkbox"/> two months (\$410)   |
| <input type="checkbox"/> three months (\$930) | <input type="checkbox"/> four months (\$1450) |
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Respectfully Submitted,

16 June 2005  
Date

  
Dov Rosenfeld, Reg. No. 38687

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